

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

FRANCISCO SERRANO,	)	
	)	
Petitioner,	)	
	)	
-vs-	)	Case No. CIV-23-389-F
	)	
HECTOR RIOS, et al.,	)	
	)	
Respondent.	)	

**ORDER**

United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation (Report), recommending petitioner's action, pursuant to 28 U.S.C. § 2241, be dismissed without prejudice to re-filing for failure of petitioner to comply with the court's orders. *See*, doc. no. 9.

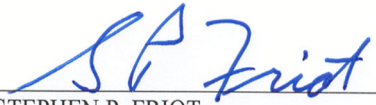
In the Report, Magistrate Judge Erwin advised petitioner of his right to file an objection with the clerk of the court by July 31, 2023, and further advised that any failure to make timely objection to the Report waives the right to appellate review of the factual and legal issues therein addressed.

To date, petitioner has neither filed an objection to the Report nor sought an extension of time to file an objection. With no objection being timely filed, the court accepts, adopts, and affirms the Report in its entirety.

Accordingly, the Report (doc. no. 9), issued on July 14, 2023, by United States Magistrate Judge Shon T. Erwin is **ACCEPTED, ADOPTED, and AFFIRMED**. Petitioner, Francisco Serrano's 28 U.S.C. § 2241 action is **DISMISSED**

**WITHOUT PREJUDICE** to re-filing, pursuant to Rule 41(b), Fed. R. Civ. P., for failure of petitioner to comply with the court's orders.

DATED this 15<sup>th</sup> day of August, 2023.

  
STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

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